IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

) CV F 05-0472 AWI GSA
ORDER VACATING HEARING DATE OF
) JANUARY 28, 2008)

In this action for damages, defendant United States of America ("Defendant") has noticed for hearing and decision a Motion for Summary Judgment or, in the alternative, Summary Adjudication against plaintiffs Uvaldo Valencia, et al. ("Plaintiffs"). The matter was scheduled for oral argument to be held January 28, 2008. The Court has reviewed Defendant's motion, Plaintiff's opposition, Defendant's reply, and the applicable law, and has determined that the motion is suitable for decision without oral argument. Local Rule 78-230(h).

Therefore, IT IS HEREBY ORDERED that the previously set hearing date of January 28, 2008, and no party shall appear at that time. As of January 28, 2008, the court will take the matter under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: January 23, 2008 /s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE